HW



PATENT ATTORNEY DOCKET NO.: 041514-5256

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Masatoshi ADACHI) Confirmation No.: 3688
Application No.: 10/098,619) Group Art Unit: 2651
Filed: March 18, 2002) Examiner: Unassigned
For: RECORDING APPARATUS FOR OPTICAL RECORDING MEDIUM))

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document listed on the attached PTO Form 1449. A European Search Report (ESR) dated December 1, 2004 is attached together with listed documents. Applicants respectfully request that the Examiner consider the ESR and listed documents and evidence that consideration by making appropriate notations on the attached PTO Form-1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

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Applicants further reserve he right to take appropriate action to establish the patentability

of the disclosed invention over the listed documents, should one or more of the documents be

applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby

authorized by this paper to charge any additional fees during the entire pendency of this

application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310.

This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF

TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: December 23, 2004

John G. Smith

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Attorney Docket No.: Application No.: (Use several sheets if necessary) 041514-5256 10/098,619 Applicant(s): Masatoshi ADACHI Page 1 of 1 PTO Form 1449 Filing Date: March 18, 2002 Group: 2651 U.SPATENT DOCUMENTS Examiner **Document** Sub Initial Number Date Name Class Class Filing Date FOREIGN PATENT DOCUMENTS Document Sub Translation Number Date Country Class Class Yes No EP 1 022 735 A2 July 26, 2000 EP WO 98/22946 May 28, 1998 PCT EP 0 991 061 A April 5, 2000 EP OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) **Examiner Date Considered** Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.